



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"Enriching Lives"*

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IN REPLY PLEASE

REFER TO FILE: **C-1**

November 26, 2003

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION AUTHORIZING EMERGENCY WORK  
CONSTRUCTION OF MUDFLOW PROTECTION BARRIERS ALONG  
THOMPSON CREEK CHANNEL AND AT WEBB SEDIMENT PLACEMENT SITE  
SUPERVISORIAL DISTRICT 5  
4 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that the public interest and necessity demand immediate action to construct debris barriers at several locations to provide protection to downstream facilities from mudflows resulting from the recent Padua Fire.
2. Find that this project is exempt from the provisions of the California Environmental Quality Act.
3. Adopt the enclosed Resolution in the form previously approved by County Counsel and, pursuant to Section 22050 of the Public Contract Code, authorize the Director of Public Works to negotiate and execute contracts on behalf of the County, in an amount not to exceed a total of \$350,000, to procure the necessary equipment, services, and supplies for the modifications necessary to ensure effective operation of the flood control facilities and to prevent potential damage to downstream improvements, which could be caused by mudflows during the upcoming storm season.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

We are recommending that your Board authorize the Director of Public Works to negotiate and execute contracts on behalf of the County for the construction of mudflow protection barriers at several locations, including but not limited to, Thompson Creek Channel and Webb Sediment Placement Site to minimize the risk of damage to these facilities and downstream properties during the winter rains, in accordance with the enclosed Resolution.

### **Implementation of Strategic Plan Goals**

This action is consistent with the County Strategic Goal of Service Excellence as it provides emergency flood protection measures for the public in a more responsive manner.

### **FISCAL IMPACT/FINANCING**

The estimated cost of constructing the mudflow protection barriers is \$350,000. Sufficient funds are available to the Flood Control District. Public Works will pursue reimbursement for the eligible cost of this work from the Natural Resources Conservation Service and the State Office of Emergency Services.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The plans and specifications for the mudflow protection barriers will include the contractual provisions, workmanship standards, and equipment requirements necessary for the prosecution of these projects. The contract agreements will be in the form previously approved by County Counsel.

Section 22050, Emergency Contracting Procedures of the Public Contract Code, provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of the governing body, may take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without advertising for bids prior to awarding contracts. Before taking any such action, the public agency shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids and that the action is necessary to respond to the emergency. The governing body, by a four-fifths vote, may delegate to the Director of Public Works the authority to order any action required by that emergency.

### **ENVIRONMENTAL DOCUMENTATION**

This work is categorically exempt pursuant to California Public Resources Code 21080b4 and California State CEQA Guidelines 15269 (b) and (c) and Class 1, Subsection (i), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

### **CONTRACTING PROCESS**

This work will be contracted on a negotiated basis following the compilation of a short list of qualified contractors.

The project specifications will contain provisions 1) requiring the contractors to comply with the County's Child Support Compliance Program, 2) requiring the contractors to report solicitations of improper considerations by County employees and allowing the County to terminate the contract if it is found that the contractors offered or gave improper consideration to County employees, 3) requiring the contractors to comply with the requirements of the Contractors Employee Jury Service Program and 4) requiring the contractor to comply with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications will also contain a provision that, should the contractors require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Contracting for these services will supplement County forces and expedite the necessary improvements and repairs before the winter rains. If this work is not executed, access to and the ability to operate and maintain these facilities could be severely compromised.

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**CONCLUSION**

Please return one approved copy of this letter and resolution to Public Works.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

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Enc.

cc: Chief Administrative Office  
County Counsel

**A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO  
NEGOTIATE CONTRACTS FOR CONSTRUCTION OF MUDFLOW PROTECTION  
BARRIERS ALONG THOMPSON CREEK CHANNEL AND AT WEBB SEDIMENT  
PLACEMENT SITE AND TO PREPARE AND EXECUTE THESE CONTRACTS ON  
BEHALF OF THE COUNTY**

WHEREAS, the Padua Fire in the Angeles National Forest has burned the watershed adjacent to several flood control facilities including Thompson Creek Dam, Thompson Creek Channel, Live Oak Dam, and Webb Sediment Placement Site (SPS); and

WHEREAS, as a result of this fire, damaging mudflows could occur during moderate to heavy storms; and

WHEREAS, mudflows could significantly damage downstream facilities and properties; and

WHEREAS, construction of structural barriers are necessary in order to minimize the risk of damaging these facilities and properties; and

WHEREAS, critical access to Live Oak Dam and the reservoir area behind Live Oak Dam could be cut off if mudflow protection barriers at Webb SPS are not constructed; and

WHEREAS, access to the reservoir area behind Live Oak Dam is essential to clean out and remove floating debris and sediment that will accumulate within the reservoir as a result of the fire; and

WHEREAS, additional protection barriers are necessary to prevent debris flows from entering Thompson Creek Channel thereby causing flooding damage to downstream properties, and

WHEREAS, storm season began on October 15, 2003, and winter rains are anticipated to begin shortly; and

WHEREAS, the public interest and necessity demand immediate action to construct these improvements and make these repairs; and

WHEREAS, the clear and imminent danger will not permit a delay resulting from the competitive solicitation of bids for the services required to construct these improvements and make these repairs;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors that (1) immediate emergency work is necessary in order to protect access to and operation of these facilities, and (2) the Board hereby authorizes the Director of Public Works to negotiate contracts, without advertising for bids, for the construction of mudflow protection barriers at several locations, including but not limited to, Thompson Creek Channel and Webb Sediment Placement Site to minimize the risk of damage to these facilities during the winter rains, pursuant to Section 22050 of the Public Contract Code, and to prepare and execute these contracts in the form previously approved by County Counsel on behalf of the County.

The foregoing Resolution was on the \_\_\_\_ day of \_\_\_\_\_, 2003, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

VIOLET VARONA-LUKENS  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN  
County Counsel

By \_\_\_\_\_  
Deputy